

Message Text

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PAGE 01 DAMASC 03273 250613Z

ACTION EB-07

INFO OCT-01 EUR-12 NEA-10 ISO-00 COME-00 /030 W

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FM AMEMBASSY DAMASCUS

TO SECSTATE WASHDC 3224

INFO AMEMBASSY ATHENS

UNCLAS DAMASCUS 3273

E.O. 11652: N/A

TAGS: BEXP BDIS SY

SUBJ: GENERAL ENGINES V. MINCOMMUNICATIONS

REF: STATE 110020

1. DISCUSSED GENERAL ENGINES CASE WITH RESPONSIBLE OFFICIAL, MINISTRY COMMUNICATIONS MUNZER HUMEIDAN. SYRIAN POSITION, IN SIMPLE TERMS, THAT THEY HAD CONTRACT WITH PENNSYLVANIA MINING CO FOR DELIVERY TRACTORS, LOWBOYS AND OTHER GOODS FOR ABOUT 6 MILLION DOLLARS. PMC MADE ONLY PARTIAL DELIVERIES AND HAS OTHERWISE FAILED TO KEEP CONTRACT. SYRIAN SIDE HAS ALREADY PAID 1.5 MILLION TO PMC (MCELROY) BUT WILL NOT PAY THE REST INCLUDING PAYMENT FOR TEN LOWBOYS DELIVERED UNLESS PMC PUTS UP 300,000 DOLLAR PERFORMANCE BOND OR OTHERWISE COMPLETES THEIR CONTRACT. PMC HAS PROMISED REPEATEDLY TO PUT UP PERFORMANCE BOND, MOST RECENTLY BY CABLE DATED 2/28 STATING BOND WOULD BE SENT TO COMMERCIAL BANK BY 3/10. NO BOND PRODUCED.

2. SHOULD PMC PRODUCE BOND MINCOMMUNICATIONS WILL EXTEND L/C FOR LOWBOY PAYMENT. MINCOMMUNICATIONS HAS NO CONTRACTUAL ARRANGEMENT WITH GENERAL ENGINES WHOM THEY REGARD AS ONLY ANOTHER VICTIM OF MCELROY. THERE IS NO LEGAL BASIS UPON WHICH MINCOMMUNICATIONS COULD MAKE A PAYMENT TO GENERAL ENGINES. THEY SUGGEST GENERAL ENGINES TAKE ACTION AGAINST MCELROY AND WOULD BE HAPPY TO DISCUSS JOINT ACTION WITH
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PAGE 02 DAMASC 03273 250613Z

GENERAL ENGINES IN THIS REGARD.

3. IN SHORT, THERE SEEMS NO POINT IN GENERAL ENGINES REP COMING TO SYRIA DISCUSS BILATERAL CLAIM AS SYRIAN SIDE DOES NOT RECOGNIZE ANY SUCH CLAIM EXISTS. IF GENERAL ENGINES WISHES TO PARTICIPATE IN JOINT LEGAL ACTION AGAINST PMC OR WISHES ASSISTANCE OF SYRIAN GOVERNMENT IN PURSUING CLAIM

AGAINST PMC, MINISTRY COMMUNICATIONS STATES WOULD BE HAPPY
TO PROVIDE ALL POSSIBLE ASSISTANCE.
MURPHY

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Disposition Comment:
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